

WEDNESDAY APRIL 15, 1987

THIRTY-THIRD LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Reverend Gary Grogg, Pastor, McFarland United Methodist Church, Chattanooga, Tennessee.

Representative Starnes led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 93

Representatives present were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

The Speaker announced that Representative Moore (Shelby) was excused because of personal business.

The Speaker announced that Representative Bewley was excused because of business.

The Speaker announced that Representative Long was excused because of personal business.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 98, 210, 298, 512, 546, 623, 624, 734, 828, 958, 1156, 1191 and 1240; also, Senate Joint Resolutions Nos. 124, 125, 126, 127, 128, 135, 136, 138 and 139; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 156, 206, 218, 219, 360, 362, 750, 993, 1059, 1135, 1190 and 1248; also, House Joint Resolutions Nos. 172, 184, 187, 188, 189, 190, 191, 193, 195, 196, 199 and 200; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 191, 263, 375, 391, 661, 665, 773, 894, 939, 1010 and 1221; House Resolution No. 30; and House Joint Resolutions Nos. 2, 25, 26, 91, 92, 93, 192, 201, 202, 203, 204, 206, 207, 208, 227, 228, 234, 258 and 259; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution No. 171 per your request.

DAVID H. WELLES,
Counsel to the Governor.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 27, 75, 76, 80, 113, 114, 134, 148, 273, 327, 335, 358, 412, 415, 416, 419, 420, 635, 772, 815, 816, 870 and 923; also, Senate Joint Resolutions Nos. 152, 155 and 160; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 27, 75, 76, 80, 113, 114, 134, 148, 273, 327, 335, 358, 412, 415, 416, 419, 420, 635, 772, 815, 816, 870 and 923; also Senate Joint Resolutions Nos. 152, 155 and 160.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 156, 206, 218, 219, 360, 362, 750, 993, 1059, 1135, 1190 and 1248; and House Joint Resolutions Nos. 172, 184, 187, 188, 189, 190, 191, 193, 195, 196, 199 and 200; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 98, 210, 298, 512, 546, 623, 624, 734, 828, 958, 1156, 1191 and 1240; also Senate Joint Resolutions Nos. 124, 125, 126, 127, 128, 135, 136, 138 and 139.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 191, 263, 375, 391, 661, 665, 773, 894, 939, 1010 and 1221; also, House Joint Resolutions Nos. 2, 25, 26, 91, 92, 93, 192, 201, 202, 203, 204, 206, 207, 208, 227, 228, 234, 258 and 259; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 191, 263, 375, 391, 661, 665, 773, 894, 939, 1010 and 1221; House Joint Resolutions Nos. 2, 25, 26, 91, 92, 93, 192, 201, 202, 203, 204, 206, 207, 208, 227, 228, 234, 258 and 259; and House Resolution No. 30.

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MESSAGE FROM THE GOVERNOR

MR. SPEAKER: I am directed to return herewith: House Bills Nos. 42, 47, 55, 91, 92, 259, 325, 454, 461, 463, 498, 617, 698, 705, 841, 889, 1116, 1222, 1233, 1235, 1239, 1240, 1243 and 1245; and House Joint Resolutions Nos. 157, 158, 160, 161, 164, 165, 168, 169, 170, 173, 174, 176, 177, 178, 179, 180, 181 and 182 with his approval.

DAVID H. WELLS,
Counsel to the Governor.

CALENDAR

House Bill No. 1043--Evidences of indebtedness.

On motion, House Bill No. 1043 was made to conform with Senate Bill No. 1145.

On motion, Senate Bill No. 1145, on same subject, was substituted for House Bill No. 1043.

Mr. Naifeh moved that Senate Bill No. 1145 be passed on third and final consideration.

Mr. Naifeh moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1145 by deleting item (11) of the amendatory language of Section 1, as amended, in its entirety and by substituting instead the following:

(11) The tax lien described in subdivision (10) of this subsection shall arise at the time the tax is due and shall at that time attach to any property, either real or personal, tangible or intangible, subject to the instrument until (i) the lien or security interest of the instrument is released with respect to any property, or (ii) any property is transferred in settlement or realization of the lien or security interest, whereupon the tax lien shall automatically be released from such property and attach to any proceeds thereof. The department of revenue may not levy upon or sell any property subject to the tax lien until notice of the tax lien has been recorded pursuant to Tennessee Code Annotated, Section 67-1-1403, but notwithstanding such section the department of revenue otherwise shall not be required to record any notice of the tax lien. The tax lien shall be superior to all liens and security interest under Tennessee law except (i) those enumerated in Tennessee Code Annotated, Sections 67-1-1403(c)(2), (3) and (4) that were recorded, filed or perfected, respectively, prior to attachment of the tax lien, and (ii) county and municipal ad valorem taxes.

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AND FURTHER AMEND by deleting the amendatory language of Section 2, as amended, in its entirety and by substituting instead the following:

(5)(A) As used herein "indebtedness" means the principal debt or obligation which is reasonably contemplated by the parties to be included within the terms of the agreement. The term "indebtedness" shall not include any amount of interest, collection expense (including, but not limited to, attorney's fees and expenses incurred and preserving, protecting, improving, or insuring property which serves as collateral for the indebtedness), or any other amount, other than the principal debt or obligation, for which a debtor becomes liable unless such an amount is added to the principal debt or obligation, and used to calculate additional interest pursuant to refinancing, reamortization, amendment or similar transaction or occurrence.

(B) If the instrument is given to secure the performance by the mortgagor, grantor, debtor or any other person of an obligation other than the payment of a specific sum of money, and a maximum amount secured is not expressed therein, such instrument shall be taxable upon the value of the property covered by the instrument, which value shall be deemed to be the "indebtedness" secured by such instrument for the purposes hereof. Such instrument shall not be recorded unless, at the time of presenting the instrument, there is filed a sworn statement by the owner of the property covered thereby of the value thereof. Such amount shall be the basis of assessing the tax imposed under this item. No subsequent change in the value of the property shall result in the imposition of additional tax.

(C) Every recorded instrument evidencing an indebtedness must contain either on the face of the instrument or in an attached sworn statement the following language: "Maximum principal indebtedness for Tennessee recording tax purposes is \$_____." The holder of the indebtedness shall state the amount of the indebtedness, and that amount shall be the basis of assessing the tax imposed by this subsection. Such statement may be relied upon only by the department of revenue and by the receiving official charged with the duty of recordation and collection of tax, and such statement shall not constitute notice of any kind to any other party of the amount of indebtedness secured by the instrument. Notwithstanding the foregoing, an instrument described in subdivision (5)(B) shall instead contain either on the face of the instrument or in an attached sworn statement the following language: "Secures obligation other than payment of specific sum - valuation statement submitted herewith." Notwithstanding any other law to the contrary, an official charged with the collection of the tax imposed by this subsection shall not record any instrument evidencing an indebtedness unless it contains the statement required by this subdivision (5)(C) and tax is properly paid based upon the amount contained in that statement or in the valuation statement, as appropriate.

(D) When the instrument being offered for registration, recording, or filing secures, or evidences the securing of, a line of credit or other indebtedness arising from more than one

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advance or extension of credit, the amount of which will, or may, vary from time to time, the tax shall be computed and paid on the maximum amount of the indebtedness as stated in the instrument or the accompanying sworn statement, and the reduction or subsequent increasing of the amount of the indebtedness within such limits shall not result in additional tax.

AND FURTHER AMEND by deleting the amendatory language of Section 4, as amended, in its entirety and by substituting instead the following:

(8) In the event of an increase in the indebtedness beyond the amount stated subsequent to the filing or recordation of the instrument, the holder of the indebtedness shall pay the tax on the amount of the increase. Such a payment shall be due on the date the increase occurs, but may be made without penalty if made within sixty (60) days after the increase occurs. Thereafter, such payment may be made only upon payment of the penalty provided in subdivision (12) of this subsection based on the amount of the increase in the indebtedness.

AND FURTHER AMEND by deleting Section 5, as amended, in its entirety and by substituting instead the following:

Section 5. The provisions of this act shall be applicable to all instruments filed or recorded on or after the effective date hereof. In addition, the provisions of subdivision (8) added by Section 4 of this act shall apply to all increases in indebtedness that occur on or after the effective date hereof. In addition, the provisions of subdivision (10)(i) added by Section 1 of this act shall apply to all instruments filed or recorded prior to the effective date hereof, except that such application shall not affect the rights of persons to the extent that their relative positions were fixed prior to the effective date of this act.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1145, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	1
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson,

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Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--89.

Representative voting no was: Hurley--1.

Representative present and not voting was: Stafford--1.

A motion to reconsider was tabled.

Mr. Burnett moved that House Bill No. 1112 be placed on the Calendar for Wednesday, April 22, 1987, which motion prevailed.

House Bill No. 808--Court of Appeals, additurs.

On motion, House Bill No. 808 was made to conform with Senate Bill No. 279.

On motion, Senate Bill No. 279, on same subject, was substituted for House Bill No. 808.

Mr. Burnett moved that Senate Bill No. 279 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

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A motion to reconsider was tabled.

House Bill No. 810--Prisoner furloughs.

On motion, House Bill No. 810 was made to conform with Senate Bill No. 270.

On motion, Senate Bill No. 270, on same subject, was substituted for House Bill No. 810.

Mr. Burnett moved that Senate Bill No. 270 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--92.

Representatives present and not voting: Lawson--1.

A motion to reconsider was tabled.

House Bill No. 1113--Interdepartmental Case Management Teams.

On motion, House Bill No. 1113 was made to conform with Senate Bill No. 1127.

On motion, Senate Bill No. 1127, on same subject, was substituted for House Bill No. 1113.

Mr. Burnett moved that Senate Bill No. 1127 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 93
Noes 0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

A motion to reconsider was tabled.

House Bill No. 932--Rental-Purchase Agreement Act.

On motion, House Bill No. 932 was made to conform with Senate Bill No. 914.

On motion, Senate Bill No. 914, on same subject, was substituted for House Bill No. 932.

Mr. Bivens moved that Senate Bill No. 914 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

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Representative voting no was: Ussery--1.

A motion to reconsider was tabled.

House Bill No. 998--Property Settlement Agreement.

Ms. Williams moved that House Bill No. 998 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 998 by deleting Section 5 in its entirety and substituting instead the following:

SECTION 5. Tennessee Code Annotated, Section 36-5-105 (b) is amended by deleting the words "property settlement agreement" and the words "property settlement" and substituting instead, wherever they appear in such subsection, the words "marital dissolution agreement".

On motion, the amendment was adopted.

Thereupon, House Bill No. 998, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

A motion to reconsider was tabled.

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House Bill No. 1001--Non-custodial parents.

On motion, House Bill No. 1001 was made to conform with Senate Bill No. 657.

On motion, Senate Bill No. 657, on same subject, was substituted for House Bill No. 1001.

Ms. Williams moved that Senate Bill No. 657 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

House Bill No. 543--Inspection of Jails.

On motion, House Bill No. 543 was made to conform with Senate Bill No. 143.

On motion, Senate Bill No. 143, on same subject, was substituted for House Bill No. 543.

Mr. Curlee moved that Senate Bill No. 143 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 543 by deleting the second sentence of the amendatory language of subsection (c)(1) of Section 1 in its entirety.

FURTHER AMEND BY deleting SECTION 2 in its entirety and substituting instead the following:

SECTION 2. This act shall take effect on July 1, 1987, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 543 by changing the period at the end of sub-item (5) of the amendatory language of Section 1 to a comma and by adding the following language:

nor to contract with a political subdivision of the state of Tennessee.

On motion, the amendment was adopted.

Thereupon; Senate Bill No. 143, as amended, passed its third and final consideration by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--92.

A motion to reconsider was tabled.

House Bill No. 546--Absentee voting.

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Mr. Curlee moved that House Bill No. 546 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes	10
Present and not voting	1

Representatives voting aye were: Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, Kisber, Love, May, Miller, Montgomery, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton and Mr. Speaker Murray--80.

Representatives voting no were: Bell, Buck, Chiles, Hawkins, Henry, Hurley, McAfee, Severance, Stafford and Wolfe--10.

Representative present and not voting was: Lawson--1.

A motion to reconsider was tabled.

Mr. Speaker Murray relinquished the Chair to Ms. DeBerry Speaker pro tem.

House Bill No. 642--Grain Warehouse and Storage.

On motion, House Bill No. 642 was made to conform with Senate Bill No. 948.

On motion, Senate Bill No. 948, on same subject, was substituted for House Bill No. 642.

Mr. Curlee moved that Senate Bill No. 948 be passed on third and final consideration.

Mr. Stallings moved to amend as follows:

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AMENDMENT NO. 1

Amend Senate Bill No. 948 by adding the following appropriately numbered section:

Section (). Tennessee Code Annotated, Section 43-27-103 is amended by adding the following appropriately number subsection:

(d) Where a irrevocable letter of credit is used it shall be approved and accompanied by written authorization from the commissioner.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 948, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

Representative present and not voting was: Dixon--1.

A motion to reconsider was tabled.

Mr. Good moved that House Bill No. 784 be placed on the Calendar for Thursday, April 16, 1987, which motion prevailed.

WEDNESDAY, APRIL 15, 1987--33RD LEGISLATIVE DAY

House Bill No. 507--Local Government Officials Designee.

On motion, House Bill No. 507 was made to conform with Senate Bill No. 634.

On motion, Senate Bill No. 634, on same subject, was substituted for House Bill No. 507.

Mr. Copeland moved that Senate Bill No. 634 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

Representative voting no was: Coffey--1.

Representative present and not voting was: Miller--1.

A motion to reconsider was tabled.

House Bill No. 633--Signs required sell alcoholic beverages.

On motion, House Bill No. 633 was made to conform with Senate Bill No. 176.

On motion, Senate Bill No. 176, on same subject, was substituted for House Bill No. 633.

Mr. Kisber moved that Senate Bill No. 176 be passed on third and final consideration.

WEDNESDAY, APRIL 15, 1987--33RD LEGISLATIVE DAY

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 176 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-5-110, is amended by deleting the section in its entirety.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 176, as amended passed its third and final consideration by the following vote:

Ayes	94
Noes	2

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton and Mr. Speaker Murray--94.

Representatives voting no were: Nance and Wolfe--2.

A motion to reconsider was tabled.

House Bill No. 628--Sale of prison-produced agriculture products.

On motion, House Bill No. 628 was made to conform with Senate Bill No. 848.

On motion, Senate Bill No. 848, on same subject, was substituted for House Bill No. 628.

Mr. Wix moved that Senate Bill No. 848 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 95
Noes 0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

House Bill No. 616--Speech pathologists.

Mr. Wheeler moved that House Bill No. 616 be passed on third and final consideration.

Mr. Crain moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 616 by deleting from the first sentence of the amendatory language of Section 1 the words "shall provide benefits for" and by substituting instead the words "may provide benefits for".

Mr. Wheeler moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes 49
Noes 41
Present and not voting 1

Representatives voting aye were: Bell, Burnett, Bushing, Byrd, Clark, Collier, Cross, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Gaia, Garrett, Herron, Hillis, Hurley, Huskey, Ivy,

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Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, May, Miller, Moore (Lawrence), Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Whitson, Williams and Winningham--49.

Representatives voting no were: Bivens, Bragg, Buck, Cain, Coffey, Copeland, Crain, Curlee, Davis (Gibson), Ellis, Frensley, Good, Harrill, Hassell, Hawkins, Head, Henry, Hobbs, Holt, Kisber, Lawson, McAfee, Montgomery, Moody, Napier, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Ussery, Webb, Wolfe, Wood and Mr. Speaker Murray--41.

Representative present and not voting was: Holcomb--1.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 616 by adding the following new section immediately preceding the last section and designating the last section accordingly:

Section _____. Nothing in this act shall apply to any insurance policy which only provides coverage for specified diseases, hospital indemnity, medicare supplement or other limited benefit coverages.

On motion, the amendment was adopted.

Mr. Wheeler moved that House Bill No. 616 be placed on the Calendar for Wednesday, April 22, 1987, which motion prevailed.

Mr. Scruggs moved that House Bill No. 359 be placed on the Calendar for Monday, April 20, 1987, which motion prevailed.

Mr. Speaker Murray resumed the Chair.

House Bill No. 1182--To Job Protection Act.

Mr. DeBerry moved that House Bill No. 1182 be passed on third and final consideration.

Mr. Ellis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1182 by adding at the end of Section 3 the following as a new subsection:

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() The provisions of this section relative to pregnancy-related disability leave shall apply only to a female employee who has been employed by the same employer for at least six (6) consecutive months as a full time employee.

Ms. DeBerry moved that House Bill No. 1182 be placed on the Calendar for Wednesday, April 22, 1987, which motion prevailed.

Ms. DeBerry moved that House Bill No. 908 down three places on today's Calendar, which motion prevailed.

House Bill No. 907--Instruction Public School.

Ms. DeBerry moved that House Bill No. 907 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	60
Noes	30
Present and not voting	3

Representatives voting aye were: Bell, Bivens, Bragg, Burnett, Bushing, Chiles, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Hassell, Head, Herron, Huskey, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, May, Miller, Montgomery, Naifeh, Peroulas, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix and Mr. Speaker Murray--60.

Representatives voting no were: Buck, Byrd, Copeland, Crain, Davis (Gibson), Frensley, Harrill, Hawkins, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Kent, McAfee, Moody, Moore (Lawrence), Nance, Napier, Rhinehart, Shirley, Stafford, Turner, C. (Shelby), Winningham, Wolfe, Wood and Yelton--30.

Representatives present and not voting were: Cain, Good and Odom--3.

A motion to reconsider was adopted.

House Bill No. 909--Family Life Education.

Ms. DeBerry moved that House Bill No. 909 be passed on third and final consideration.

Mr. Bivens moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 909 by deleting from Section 1 (1), subpart (I) in its entirety and by substituting instead the following:

- (I) Six (6) persons who shall be distinguished and concerned citizens; two (2) of such persons shall be appointed from each of the state's three (3) grand divisions.

On motion, the amendment was adopted.

Thereupon, House Bill No. 909, is amended, passed its third and final consideration by the following vote:

Ayes	78
Noes	14

Representatives voting aye were: Bell, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Lawson, May, Miller, Montgomery, Moore (Lawrence), Naifeh, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, and Mr. Speaker Murray--78.

Representatives voting no were: Bragg, Chiles, Copeland, Crain, Henry, Hurley, Kent, McAfee, Moody, Nance, Shirley, Stafford, Wolfe and Yelton--14.

A motion to reconsider was tabled.

House Bill No. 908--Family Life Education.

Ms. DeBerry moved that House Bill No. 908 be passed on third and final consideration.

Mr. Hobbs moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 908 by inserting the words "to determine the local education agencies' proper role in family life education and, if deemed necessary," between the words "organizations" and "to locally devise" in the first sentence of Section 1.

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Ms. DeBerry moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes	31
Noes	61

Representatives voting aye were: Bivens, Burnett, Bushing, Davidson, DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Herron, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Montgomery, Naifeh, Peroulas, Pruitt, Purcell, Robinson (Hamilton), Stallings, Turner (Hamilton), Turner, L. (Shelby), Ussery, Wheeler, Whitson, Williams, Wix and Mr. Speaker Murray--31.

Representatives voting no were: Bell, Bragg, Buck, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis, (Knox), Drew, Frensley, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Kent, Lawson, May, McAfee, Miller, Moody, Moore (Lawrence), Nance, Napier, Odom, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Tanner, Turner, C. (Shelby), Webb, West, Winningham, Wolfe, Wood and Yelton--61.

Thereupon, Amendment No. 1 was adopted by the following vote:

Ayes	56
Noes	35
Present and not voting	2

Representatives voting aye were: Bell, Bragg, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Ellis, Frensley, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Kent, Lawson, May, McAfee, Miller, Moody, Moore (Lawrence), Nance, Napier, Odom, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Turner, C. (Shelby), Webb, Winningham, Wolfe and Wood, Yelton--56.

Representatives voting no were: Bivens, Buck, Burnett, Bushing, Clark, Davidson, DeBerry, Dixon, Duer, Gaia, Garrett, Herron, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Montgomery, Naifeh, Peroulas, Pruitt, Purcell, Robinson (Hamilton), Robinson (Washington), Stallings, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Wheeler, Whitson, Williams, Wix and Mr. Speaker Murray--35.

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Representatives present and not voting were: DePriest and West--2.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 908 by deleting from the first sentence of Section 1 the word "urges" and substituting instead the word "requires".

Thereupon, Amendment No. 2 was adopted by the following vote:

Ayes	49
Noes	42
Present and not voting	1

Representatives voting aye were: Bragg, Burnett, Byrd, Cain, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Drew, Frensley, Harrill, Hassell, Hawkins, Henry, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Jones, R. (Shelby), Kent, Lawson, May, McAfee, Miller, Montgomery, Moore (Lawrence), Nance, Napier, Odom, Pruitt, Ridgeway, Severance, Shirley, Stafford, Swann, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Whitson, Wolfe, Wood--49.

Representatives voting no were: Bell, Bivens, Buck, Bushing, Clark, Coffey, Cross, Davis (Knox), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Good, Head, Herron, Hillis, Ivy, Jared, Jones, U. (Shelby), Kernell, King, Kisber, Moody, Naifeh, Peroulas, Phillips, Purcell, Rhinehart, Robinson (Washington), Scruggs, Stallings, Tanner, Turner (Hamilton), Ussery, Wheeler, Williams, Winningham, Wix, Yelton and Mr. Speaker Murray--42.

Representative present and not voting was: Robinson (Hamilton)--1.

Mr. Crain moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 908 by adding the following language at the end of Section 1:

To meet the requirement for community involvement in devising family life education curriculum, the local education agency could implement well publized plans for special called school board meetings, local family life task force meetings, public hearings, etc., with representatives from each of the above named groups, organizations, and agencies invited to participate.

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On motion, the amendment was adopted.

Mr. Drew moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 908 by inserting the following new section immediately preceding the last section and by renumbering the last section accordingly:

Section __. Tennessee Code Annotated, Section 49-6-1005, is amended by adding the following language at the end of subsection (a):

Any such course in sex education shall, in addition to teaching facts concerning human reproduction, hygiene, and health concerns, include presentations encouraging abstinence from sexual intercourse during the teen and pre-teen years.

On motion, the amendment was adopted.

Mr. Wood moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill 908 by adding before the effective date section the following section and by renumbering the effective date section accordingly:

Section __. In considering new plans for family life education curriculum the local education agency shall devise a method of measuring the effectiveness of the program in its area and of setting reasonable goals for reduced sexual activity and the incidence of pre-marital pregnancy by the 1993-94 school year. Failure to reach such established goals shall require a re-evaluation by representatives of the above named groups, organizations, agencies, etc. and shall require such representatives to make recommendations for necessary changes to strengthen the local program.

On motion, the amendment was adopted.

Mr. Henry moved to amend as follows:

AMENDMENT NO. 6

Amend House Bill No. 908 by deleting the original Sections 3 and 4 in their entirety and by renumbering the subsequent section accordingly.

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On motion, the amendment was adopted.

Mr. Wood moved to amend as follows:

AMENDMENT NO. 7

Amend House Bill No. 908 by adding the following as a new section immediately before the effective date section and by redesignating the effective date section accordingly:

SECTION ____. Before any local education agency implements the family life education plan developed by the state pursuant to Section 3 it shall furnish to the parent or guardian of each student who would be required to take a family life course an overview of the subjects and instructional materials to be covered in the course. The parent shall be permitted to purchase the instructional materials and to cover the course curriculum with the student. The parent and student would certify that the family life course curriculum has been covered by the parent with the student in writing on a form supplied with the materials. If the parent so covers the material with the student, then the student may be exempted from the class and allowed to take an alternate course or study hall. The student would receive no credit for coverage of the family life course materials in the home.

On motion, the amendment was adopted.

Thereupon, House Bill No. 908, as amended, passed its third and final consideration by the following vote:

Ayes	66
Noes	29

Representatives voting aye were: Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Hawkins, Head, Herron, Hillis, Hobbs, Holcomb, Hurley, Huskey, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Lawson, Love, Miller, Montgomery, Moore (Lawrence), Naifeh, Peroulas, Phillips, Pruitt, Purcell, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams and Mr. Speaker Murray--66.

Representatives voting no were: Bell, Chiles, Copeland, Crain, Curlee, Frensey, Good, Harrill, Hassell, Henry, Holt, Ivy, Kent, May, McAfee, Moody, Nance, Napier, Odom, Rhinehart, Ridgeway, Shirley, Stafford, Turner, C. (Shelby), Winningham, Wix, Wolfe, Wood and Yelton--29.

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A motion to reconsider was tabled.

House Bill No. 922--Teenage Pregnancy Education.

Ms. DeBerry moved that House Bill No. 922 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--91.

Representative voting no was: Stafford--1.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Resolution No. 31--Congratulate Dyersburg High School boys basketball team.

House Joint Resolution No. 247--Parkinson's Awareness Week.

House Joint Resolution No. 248--Commending WATE in Knoxville.

House Joint Resolution No. 257--Honoring Gloria Sutton.

House Bill No. 1267--Charter of Loudon.

House Bill No. 1269--Williamson County Highway Dept.

Senate Joint Resolution No. 140--Honoring Frances Coe.

Senate Joint Resolution No. 141--Honoring Dorothy Pugh.

Senate Joint Resolution No. 142--Honoring Susie Bryant.

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Mr. Phillips moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 137--Income Tax Liability.

SENATE AMENDMENT NO. 1

House Bill No. 137 by deleting Section 2 in its entirety and by redesignating Section 3 to be Section 2.

Mr. Scruggs moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 423--Pharmacies and Pharmacists.

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SENATE AMENDMENT NO. 2

Amend House Bill No. 423 by adding the following new sections to be appropriately numbered immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION ____ Tennessee Code Annotated, Section 53-10-105, is amended by changing the period at the end of the second sentence to a comma, and by inserting the following language:

and nothing in this section shall apply to a licensed physician, dentist or veterinarian not to such drugs under the control of such physician, dentist or veterinarian in the practice of his profession, and such exemption shall include a nurse authorized pursuant to Section 63-6-204, who is rendering service under the supervision, control, and responsibility of licensed physician, and who meets the requirements pursuant to Section 63-7-207(13).

SECTION ____ Tennessee Code Annotated, Section 63-10-201(c), is amended by deleting the words "nothing in this section" from the subsection and by substituting instead the words "nothing in this chapter".

Mr. Rhinehart moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

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A motion to reconsider was tabled.

Mr. Scruggs moved that the rules be suspended for the purpose of introducing House Bill No. 1275 and pass on first consideration which motion prevailed.

House Bill No. 1275--Licensure hearing aid dispensers--By Scruggs.

BILLS RE-REFERRED

On motion of Mr. Ellis, House Bill No. 411 was recalled from the Committee on State and Local Government.

On motion of Mr. Ellis, House Bill No. 411 was re-referred to the Committee on Judiciary.

On motion of Mr. Bragg, House Bill No. 843 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Bragg, House Bill No. 843 was withdrawn from the House.

On motion of Mr. Phillips, House Bill No. 959 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Phillips, House Bill No. 959 was re-referred to the Committee on Finance, Ways and Means.

On motion of Mr. Phillips, House Bill No. 793 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Phillips, House Bill No. 793 was re-referred to the Committee on Finance, Ways and Means.

NOTICE PURSUANT TO RULE NO. 59

Pursuant to Rule No. 59, sponsors gave notice of their intentions to consider the following measures from the Senate on Thursday, April 16, 1987.

House Bill No. 636--Cross

House Bill No. 196--Williams

House Bill No. 603--Stallings

ANNOUNCEMENT

The Speaker directed the Clerk to spread upon the Journal the following communications in the matter of Ira Henderson Murphy.

WEDNESDAY, APRIL 15, 1987--33RD LEGISLATIVE DAY

MEMORANDUM

TO: Members of the General Assembly

FROM: Clyde W. McCullough, Jr., Chief Clerk of Senate
Bryant Millsaps, Chief Clerk of House

SUBJECT:
Tennessee Code Annotated, Section 17-5-311(d) -
Call for Joint Convention

Please be advised that under the above Section of the Tennessee Code, we have been directed by our respective Speakers to inform the membership of a joint convention of the General Assembly to be held on April 30, 1987 at 9:00 a.m. for the purpose of acting upon the matter of Ira Henderson Murphy on the charges contained therein, of which we are enclosing a copy. By copy of this letter and this report, we are informing Judge Murphy of the joint convention.

CMcc/mdj

Enclosure

INTRODUCTION OF RESOLUTIONS

House Resolution No. 32--Parking garage Chaplain and Doctor--By Nance, Long, West, Cain, Dixon, Wolfe, Shirley, Herron, Hobbs, Bell, Love, Garrett, Byrd, Turner, C. (Shelby), Coffey, Tankersley, Swann, Hassell, Moore (Shelby), Phillips, Stallings, Cain, Bushing, Odom, Wood, May, Crain, Huskey, Good, Collier, Whitson, Yelton and Harrill.

The Speaker referred House Resolution No. 32 to the Committee on State and Local Government.

House Joint Resolution No. 260--Honoring Coach Jill Pruden--By Coffey.

Under the rules, House Joint Resolution No. 260 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 261--Anniversary Mount Pleasant Baptist Church--By Drew.

Under the rules, House Joint Resolution No. 261 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 262--Recognizing anchor Bill Williams--By Drew.

Under the rules, House Joint Resolution No. 262 was referred to the Committee on Calendar and Rules.

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House Joint Resolution No. 263--Commending Commissioner Keith Bissell--By Coffey.

Under the rules, House Joint Resolution No. 263 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 264--Congratulating Coach Gary Rundles--By Lawson, Moody, Davis (Cocke), Starnes, Wood and Copeland.

Under the rules, House Joint Resolution No. 264 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 265--Congratulate Coach Bobby Wilson--By Lawson, Moody and Davis (Cocke).

Under the rules, House Joint Resolution No. 265 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 269--Lady Vols first game basketball arena--By Scruggs, Head and Peroulas.

The Speaker referred House Joint Resolution No. 269 to the Committee on Education.

House Joint Resolution No. 271--Congratulating Roger and Mabel Brashears--By Henry.

Under the rules, House Joint Resolution No. 271 was referred to the Committee on Calendar and Rules.

SENATE JOINT RESOLUTIONS

(Congratulatory and Memorializing)

Senate Joint Resolution No. 144--Honoring Miss Louise Murphy.

Under the rules, Senate Joint Resolution No. 144 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 145--Commending Dave Loggins.

Under the rules, Senate Joint Resolution No. 145 was referred to the Committee on Calendar and Rules.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 122--Joint Committee immune deficiency syndrome.

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The Speaker referred Senate Joint Resolution No. 122 to the Committee on General Welfare.

Senate Joint Resolution No. 131--Cumberland Gap Parkway.

The Speaker referred Senate Joint Resolution No. 131 to the Committee on Transportation.

INTRODUCTION OF BILLS

House Bill No. 1271--Amend Charter, Portland--By Wix and Long.

Passed first consideration.

House Bill No. 1273--Levy tax on certain privileges--By West, Bushing, Pruitt, Garrett, Ellis, Purcell, Love, Robinson (Davidson), Chiles, Odom and Clark.

The Speaker referred House Bill No. 1273 to the Delayed Bills Committee.

House Bill No. 1274--Levy tax on certain privileges--By West, Bushing, Pruitt, Garrett, Ellis, Purcell, Love, Robinson (Davidson), Chiles, Odom and Clark.

The Speaker referred House Bill No. 1274 to the Delayed Bills Committee.

HOUSE BILL ON SECOND CONSIDERATION

House Bill No. 1272--Superintendent of School, Bedford County.

Passed second consideration and held without reference.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bills Nos. 141, 552, 640, 678, 907, 1002, 1173, 1252 and 1253.

Passed first consideration.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 27 with his approval.

DAVID H. WELLES,
Counsel to the Governor.

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REPORTS FROM STANDING COMMITTEES

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 848, 1076 and House Joint Resolution No. 167.

TANNER, Chairman.

Under the rules, House Bills Nos. 848, 1076 and House Joint Resolution No. 167 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Joint Resolutions Nos. 252, 253, 254 and 255 and Senate Joint Resolution No. 93.

HILLIS, Chairman.

Under the rules, House Joint Resolutions Nos. 252, 253, 254 and 255; and Senate Joint Resolution No. 93 were transmitted to the Committee on Calendar and Rules.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 413, 754, 1034 (with amendments), 1083 and House Joint Resolutions Nos. 123 (with amendment), 198, 249, 250, 251 and 270 and further recommend that pursuant to House Rule No. 72, House Bill No. 1083 be referred to the Committee on Finance, Ways and Means.

DAVIDSON, Chairman.

Under the rules, House Bills Nos. 413, 754, 1034; and House Joint Resolutions Nos. 123, 198, 249, 250, 251 and 270 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 1083 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 252 (with amendment), 612 and 1016.

BRAGG, Chairman.

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Under the rules, House Bills Nos. 252, 612 and 1016 were transmitted to the Committee on Calendar and Rules.

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 279 (with amendments), 354 (with amendment), 425, 457, 539, 924, 1073 (with amendment) and 1186, and House Resolutions Nos. 15 and 16; and House Joint Resolution No. 76.

STARNES, Chairman.

Under the rules, House Bills Nos. 279, 354, 425, 457, 539, 924, 1073, 1186; House Resolutions Nos. 15 and 16; and House Joint Resolution No. 76 were transmitted to the Committee on Calendar and Rules.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 39, 43 (with amendment), 48 (with amendment) and 210 (with amendment).

KING, Chairman.

Under the rules, House Bills Nos. 39, 43, 48 and 210 were transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 280, 489 (with amendments), 681, 692, 954 (with amendment), 1070 (with amendment), 1230; House Resolution No. 9; and House Joint Resolution No. 209 (with amendment) and further recommend that pursuant to House Rule No. 72, House Bill No. 489 (with amendments) be referred to the Committee on Finance, Ways and Means.

TURNER, C. (Shelby), Vice Chairman.

Under the rules, House Bills Nos. 280, 681, 692, 954, 1070, 1230; House Resolution No. 9 and House Joint Resolution No. 209 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 489 (with amendments) to the Committee on Finance, Ways and Means.

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STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 173, 184 (with amendments), 231 (with amendment), 432, 503 (with amendment), 551, 588 (with amendment), 715 (with amendment), 716, 799 (with amendment), 814, 852 and 1213; and House Joint Resolutions Nos. 155 (with amendment) and 175 and further recommend that pursuant to House Rule No. 72, House Bills Nos. 231 (with amendment), 503 (with amendment), 551, 814 and 852 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 173, 184, 432, 588, 715, 716, 799, 1213; and House Joint Resolutions Nos. 155 and 175 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 231, 503, 551, 814 and 852 to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 244 (with amendment), 446, 590 (with amendment), 664, 777 (with amendment), 815 (with amendment), 882, 1008 (with amendment), 1122 (with amendment), 1125 (with amendment), 1250 and 1268 (with amendment); House Joint Resolutions Nos. 197 and 243; Senate Joint Resolution No. 76 and further recommend that pursuant to House Rule No. 72, House Bills Nos. 1122 (with amendment) and 1125 (with amendments) be referred to the Committee on Finance, Ways and Means.

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 244, 446, 590, 664, 777, 815, 882, 1008, 1250, 1268 and House Joint Resolutions Nos. 197 and 243 and Senate Joint Resolution No. 76 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bills Nos. 1122 and 1125 to the Committee on Finance, Ways and Means.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1249, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1266 and 1272.

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REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, April 16, 1987: House Joint Resolution No. 144; House Bills Nos. 781, 577; House Joint Resolution Nos. 185, 186; House Bills Nos. 674, 647, 209; House Joint Resolutions Nos. 260, 261, 262, 263, 264, 265, 271; House Bills Nos. 1249, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1266, 1272; and Senate Joint Resolutions Nos. 144 and 145.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, April 16, 1987: House Bills Nos. 268, 253, 101, 619, 408, 802, 416, 176, 305, 118, 277, 957, 1002, 38, 51 and 213.

PHILLIPS, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 546, 907, 909 and 998; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 191, 263, 375, 391, 661, 665, 773, 894, 939, 1010 and 1221; and House Joint Resolutions Nos. 2, 25, 26, 91, 92, 93, 192, 201, 202, 203, 204, 206, 207, 208, 227, 228, 234, 258 and 259; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 908, 922, 1267 and 1269; and

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House Joint Resolutions Nos. 247, 248 and 257; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 396--Turner (Hamilton)

House Bill No. 425--Bushing

House Bill No. 580--Turner (Hamilton)

House Bill No. 616--Miller and Peroulas

House Bill No. 848--Wheeler

House Joint Resolution No. 205--Herron

SECOND ROLL CALL

The roll call was taken with the following results:

Present 92

Representatives present were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--92.

On motion of Mr. Naifeh the House adjourned until 9:00 a.m. tomorrow.